

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

STERCHI et al.

Serial No. 10/821,269

Filed: April 9, 2004

Attention: Application Branch

Atty. Dkt. 723-1502

Date: January 24, 2005 (Monday)
(January 23 = Sunday)For: BASEBALL VIDEOGAME HAVING A PITCHING METER, HERO MODE AND USER
CUSTOMIZATION FEATURES**Mail Stop Missing Parts**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

The attached completes filing of the above-identified patent application:☐ **Correspondence Address Indication Form Attached.**☒ Signed Rule 63 Declaration alone, ☐ Copy of Declaration from prior application alone, OR☐ Signed Declaration plus attached copy of originally filed specification/drawings.☒ **NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED** form.☒ Record the attached assignment to Nintendo of America Inc., Redmond, Washington and return to the undersigned.☐ Attached is a Power of Attorney:☐ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:**Application Number****Country****Day/Month/Year Filed**

respectively.

☐ Certified copy(ies) of foreign application(s) is/are attached.☐ Certified copy(ies) filed on _____ in prior application no. _____, filed _____.☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.☒ Please enter the attached preliminary amendment prior to calculation of filing fee.☐ Also attached: ☐ **Information Disclosure Statement**; ☐ **Nucleotide and/or Amino Acid Sequence Submission**; ☐ **Other**:**Fees due are calculated below:**

Basic filing fee		\$	790.00
Search Fee	\$500.00 (1111)/\$250.00 (2111)	\$	
Examination Fee	\$200.00 (1311)/\$100.00 (2311)	\$	
Application Size Fee for each add'l 50 sheets that exceeds 100 sheets)			
Total pages: 0-100 = 0.00	0 \$0.00(1081)/	\$0.00 (2081)	\$
Total effective claims 24 - 20 (at least 20) = 4	x \$50.00 = \$200.00 (1202)/\$100.00 (2202)	\$	200.00
Independent claims 3 - 3 (at least 3) = 0	x \$200.00 = \$0.00 (1201)/\$0.00 (2201)	\$	
If any proper multiple dependent claims now added for first time (ignore improper), add			
	\$360.00 (1203)/\$180.00 (2203)	\$	
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s)			
	One Month Extension \$120.00 (1251)/\$60.00 (2251)		
	Two Month Extensions \$450.00 (1252)/\$225.00 (2252)		
	Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)		
	Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)	\$	2160.00
	Five Month Extensions \$2160.00 (1255)/\$1080.00 (2255)		
Surcharge if Declaration or filing fee first now submitted:	\$130.00 (1051)/\$65.00 (2051)	\$	130.00
English translation of specification and claims	\$130.00 (1053)	\$	
Assignment Recording Fee	\$40.00 (8021)	\$	40.00
	TOTAL FEE DUE	\$	3320.00

☒ **CREDIT CARD PAYMENT FORM ATTACHED.**

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.

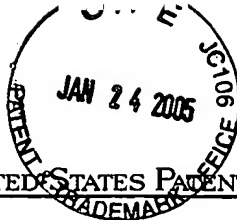
By Atty: Raymond Y. Mah, Reg. No. 41,426

Signature: 

01/27/2005 AWONDAF1 00000145 10821269

04 FC:1255

2160.00 OP



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/821,269	04/09/2004	Henry Sterchi	723-1502

27562
NIXON & VANDERHYE, P.C.
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CONFIRMATION NO. 8633

FORMALITIES LETTER



OC000000013037785

Date Mailed: 06/23/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$2526 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$3426 for a Large Entity

01/27/2005 AWONDAF1 00000145 10821269
01 FC:1001 790.00 OP
02 FC:1051 130.00 OP
03 FC:1201 200.00 OP

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$2526**

- **\$1032** for **12** independent claims over 3.
- **\$1494** for **83** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE